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June 10, 2005

**VIA FAX – (601) 352-7757  
and REGULAR MAIL**  
Ms. Betty Mallett  
McGlinchey Stafford PLLC  
City Centre, Suite 1100  
200 South Lamar Street  
Jackson, MS 39201

Re: *Olivia Y. et al. v. Barbour et al.*

Dear Ms. Mallett:

I write regarding your letter of yesterday and Plaintiffs' planned case record review.

First, I wish to confirm my understanding of your letter that Defendants refuse to produce the class member list reflected in the Custody Contact Report in any electronic format despite the fact that said 100+ page Report is generated electronically by DHS and Defendants' knowledge that Plaintiffs will have to manually re-enter the data from the paper printout into an electronic format in order to generate a random review sample of class member files. Let me know immediately if I have misunderstood you.

Second, I am not sure what you intend when stating that the Report will be produced "in short order," but Plaintiffs cannot select their review sample without the requested updated Report. I hope that it will be produced within the next couple of days.

Third, after further consultation with Plaintiffs' experts, I can confirm that Plaintiffs plan to start their review of DHS cases on June 27, 2005, with those from Hinds County. The identity and number of such files cannot be specified until after Plaintiffs receive the updated Custody Contact Report.

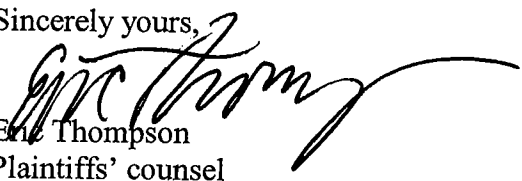
As we have discussed before, we will need (1) access to adequate review space for 10 reviewers, a supervisor, and two upright photocopiers, with access to at least two outside phone lines and an internet connection; (2) access to the selected class members' complete DHS case records, which consist of both the MACWIS and paper files (including any of the children's adoption files maintained by the adoption specialists as testified to by Linda Millsaps, *see* depo at 11:14-12:15); (3) a Stipulation and Order concerning the integrity and confidentiality of the case records selected for review; and (4) a DHS designee who can address any issues with the completeness of the produced records as they arise on site.

I hope that we can finalize these arrangements shortly and look forward to your prompt response.

404 Park Avenue South, New York, NY 10016

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Sincerely yours,

  
Eric Thompson  
Plaintiffs' counsel

Encl.

cc: Wayne Drinkwater & Melody McAnally, Bradley Arant  
Stephen Leech, Esq.  
John Lang, Loeb & Loeb

Linda Millsaps.060205

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1       them.

2           Q.   Is it fair to say that there's an  
3       adoption specialist assigned to every county  
4       caseload of children freed for adoption within  
5       the Southern Region?

6           A.   Correct.

7           Q.   Is that assignment reflected in  
8       MACWIS?

9           A.   It is.

10          Q.   And so the adoption specialists are  
11       able to enter case information into the child's  
12       case record on MACWIS?

13          A.   Yes.

14          Q.   Do the adoption specialists maintain  
15       their own file on the children to whom they are  
16       assigned to?

17          A.   Yes.

18          Q.   And where do they maintain those  
19       files?

20          A.   In their office.

21          Q.   And that would be in whatever county  
22       they're based out of?

23          A.   Exactly.

24          Q.   Just to be clear, those files -- are  
25       their own files maintained outside of the

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1 Linda Millsaps.060205  
child's DFCS paper case record?

2 A. Can you repeat the --

3 Q. Sure.

4 A. -- restate it?

5 Q. Besides the MACWIS case record for a  
6 child, are you familiar with the requirement  
7 that there be a paper case record kept in the  
8 county of responsibility for each child?

9 A. Yes.

10 Q. Do the adoption specialists, the files  
11 that they maintain on each child, are those part  
12 of the county of responsibility case files, or  
13 are those maintained separately by the adoption  
14 specialist?

15 A. Separately.

16 Q. When is an adoption specialist  
17 assigned to a child?

18 A. As soon as the child is -- termination  
19 of parental rights has been accomplished.

20 Q. Are there any occasions or  
21 circumstances that would warrant having an  
22 adoption specialist assigned before a child is  
23 freed for adoption?

24 A. Yes.

25 Q. And when does that occur?

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1 A. An infant, for example.

2 Q. Any other circumstances in general?

3 A. Occasionally, we do have requests for

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